

Submission under 37 CFR §1.114
Application No. 10/531,999
Attorney Docket No. 072444

REMARKS

Rejections under 35 USC §112, First Paragraph

Claim 4 was rejected under 35 USC §112, first paragraph, as failing to comply with the enablement requirement for the reasons set forth in the objection to the specification.

Claim 4 has been cancelled. Thus, the rejection has become moot.

Rejections under 35 USC §102(b)

Claims 1-12 were rejected under 35 USC §102(b) as being clearly anticipated by Japan document No. 2002-321746, filed April 25, 2001, and published November 5, 2002, and cited by applicant.

The PCT international application of the present application was filed on October 23, 2002, which is considered as the US filing date and is earlier than November 5, 2002, the publication date of JP2002-321746. Thus, JP2002-321746 is not a 35 USC §102(b) prior art reference. Also, JP2002-321746 is not a prior art reference under 35 USC §102.

Thus, the rejection under 35 USC §102(b) over JP 2002-321746 is improper, and the rejection should be withdrawn.

Claims 1-3, 5, 6 and 9-11 were rejected under 35 USC §102(b) as being anticipated by Thoresen (U.S. Patent No. 2,271,133).

Claim 1 has been amended to recite, among other things, “a latching releaser connected to either the male member or the female member to which latching releasing force is applied in an outward direction, to release engagement between the male member and the female member, wherein the male member or the female member is disposed on a tip end of an elastic member having a supporting point so that the male member or the female member is movable to a disengaged position to release the latching portion.”

Thoresen discloses a belt buckle. Thoresen describes as follows:

The means for so turning the bar 5 into release position consists in a trigger 14, a small stem or knob that extends radially from the side of the bar and is made accessible to the thumb or finger of the user, by the forming of the right-hand edge of the buckle member 2, as shown. In order to release the latch, it is merely necessary to lift the end of the trigger about one-eighth of an inch or less--the elasticity of the compressed elements 6 and 7 does the rest.

(Thoresen page 2, right column 57-66).

In Thoresen, in order to release the latch, the end of the trigger is lifted. The trigger is lifted and rotate in the inward direction rather than in the outward direction. Thus, the latching releasing force is not applied to the trigger 14 (latch releaser) in an outward direction to release engagement between the male member and the female member. Also, neither the male member nor the female member is disposed on a tip end of an elastic member having a supporting point so that the male member or the female member is movable to a disengaged position to release the latching portion.

Submission under 37 CFR §1.114
Application No. 10/531,999
Attorney Docket No: 072444

Thus, Thoresen does not teach or suggest, among other things, “a latching releaser connected to either the male member or the female member to which latching releasing force is applied in an outward direction, to release engagement between the male member and the female member, wherein the male member or the female member is disposed on a tip end of an elastic member having a supporting point so that the male member or the female member is movable to a disengaged position to release the latching portion.”

For at least these reasons, claim 1 patentably distinguishes over Thoresen. Claims 5, 6 and 9-11, depending from claim 1, also patentably distinguish over Thoresen for at least the same reasons. Claim 2 and 3 are cancelled.

Rejections under 35 USC §103(a)

Claim 12 was rejected under 35 USC §103(a) as being unpatentable over Thoresen (U.S. Patent No. 2,271,133) in view of Oh et al. (U.S. Patent No. 4,834,096).

Claim 12 depend from claim 1, which patentably distinguishes over Thoresen. Oh et al has been cited for allegedly disclosing a clip made from polyoxymethylene. However, such disclosure of Oh et al does not remedy the deficiencies of Thoresen discussed above.

For at least these reasons claim 12 patentably distinguishes over Thoresen and Oh et al.

Submission under 37 CFR §1.114
Application No. 10/531,999
Attorney Docket No. 072444

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "Sadao Kinashi", with a stylized flourish at the end.

Sadao Kinashi
Attorney for Applicants
Registration No. 48,075
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

SK/ar